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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	NO. CR 20-0317-2 JSW
Plaintiff,	)	
v.	)	STIPULATION TO CONTINUE HEARING AND
	)	EXCLUDE TIME FROM AUGUST 17, 2021, TO
LUIS CRUZ,	)	SEPTEMBER 21, 2021 AND <del>PROPOSED</del> ORDER
Defendant.	)	AND REQUIRING JOINT STATUS REPORT
	)	
	)	

1 The above-captioned matter is currently scheduled for a status conference before the Court on  
2 August 17, 2021.

3 The parties have discussed resolution of this case and the discussions are ongoing. In addition,  
4 the defendant is in state custody due to his separate criminal proceedings in that court, which has  
5 affected the parties' discussions here. To facilitate the parties' discussions, the parties now request that  
6 the hearing be continued to September 21, 2021, at 12:00 p.m.

7 It is further stipulated by and between counsel for the United States and counsel for the  
8 defendant that time be excluded under the Speedy Trial Act from August 17, 2021, through September  
9 21, 2021. Defense counsel will use the additional time to discuss with Mr. Cruz issues related to his  
10 case. For this reason, the parties stipulate and agree that excluding time until September 21, 2021, will  
11 allow for the effective preparation and continuity of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The  
12 parties further stipulate and agree that the ends of justice served by excluding the time from August 17,  
13 2021, through September 21, 2021, from computation under the Speedy Trial Act outweigh the best  
14 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

15 The undersigned Assistant United States Attorney certifies that he has obtained approval from  
16 counsel for the defendant to file this joint status report and proposed order.

17  
18 IT IS SO STIPULATED.

19  
20 DATED: August 6, 2021

\_\_\_\_\_  
/s/  
JONATHAN U. LEE  
Assistant United States Attorney

21  
22 DATED: August 6, 2021

\_\_\_\_\_  
/s/  
JEFFREY BORNSTEIN  
Counsel for Defendant LUIS CRUZ

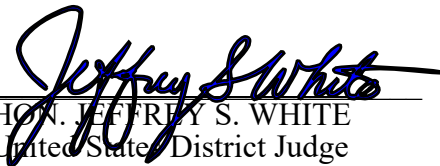
~~PROPOSED~~ ORDER

Based upon the facts set forth in the stipulation of the parties and the representations made to the Court, and for good cause shown, the Court hereby CONTINUES the currently scheduled status conference from August 17, 2021, to September 21, 2021, at 12:00 p.m.

The Court further finds that failing to exclude the time from August 17, 2021, through September 21, 2021, would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would unreasonably deny the defendant continuity of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from August 17, 2021, through September 21, 2021, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from August 17, 2021, through September 21, 2021, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED. It is FURTHER ORDERED that the parties shall file a further joint status report on September 14, 2021.

DATED: August 6, 2021

  
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HON. JEFFREY S. WHITE  
United States District Judge